UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA NORTHERN DIVISION

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SIOUX RURAL WATER SYSTEM, INC., a Non-Profit Corporation

Civ. 15-1023

Plaintiff,

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-vs-

CITY OF WATERTOWN, a South Dakota Municipality, and WATERTOWN MUNICIPAL UTILITIES, an agency of the CITY OF WATERTOWN,

DEFENDANTS' MOTIONS IN LIMINE

Defendants.

The defendants, City of Watertown ("City") and Watertown Municipal Utilities ("MU"), move the Court enter Orders in Limine as follows:

- 1. Precluding plaintiff from relying upon previously undisclosed documents to support its claims.
- 2. Precluding plaintiff from presenting new or supplemental expert opinions that were not timely disclosed.
- 3. Precluding plaintiff from presenting evidence regarding its system's 2017 capabilities, because such evidence is irrelevant to the appropriate "pipes in the ground" inquiry.

- 4. Sequestering witnesses, with the exception of the parties' designated representatives and experts.
- 5. Precluding plaintiff from presenting any evidence or testimony that defendants are insured or members of a risk pool.
- 6. Precluding plaintiff from presenting any evidence or testimony concerning settlement negotiations.

These motions are supported by the pleadings and files herein, and the Brief in Support of Defendants' Motions in Limine, which is served and filed herewith.

Dated this 14^{th} day of August, 2017.

RICHARDSON, WYLY, WISE, SAUCK & HIEB, LLP

By /s/ Zachary W. Peterson
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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for defendants, hereby certifies that on the $14^{\rm th}$ day of August, 2017, a true and correct copy of **DEFENDANTS' MOTIONS IN LIMINE** was served electronically through the District Court CM/ECF filing system on:

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